

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
WATER QUALITY CONTROL COMMISSION**

**POLICY REGARDING ANTIDEGRADATION REVIEWS**

**POLICY 88-1**

Expiration date: December 31, 1999

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WATER QUALITY CONTROL COMMISSION AND WATER QUALITY CONTROL DIVISION  
POLICY REGARDING ANTIDEGRADATION REVIEWS

Adopted December 7, 1988

Revised May 5, 1992

On June 6, 1988, the Commission adopted revised antidegradation provisions as part of the Basic Standards and Methodologies for Surface Water, 3.1.0 (5 CCR 1002-8). On September 27, 1988, the Environmental Protection Agency submitted a letter to the Commission, partially disapproving these provisions. This joint Commission and Division policy statement was adopted as part of an effort to resolve the issues raised by EPA. Approval of the Colorado antidegradation provisions was granted by EPA on January 9, 1989. This policy was revised in 1992, to reflect further amendments to the antidegradation provisions adopted in October, 1991.

EPA raised an issue concerning the use in the regulation of the phrase "existing classified uses" in section 3.1.8(1)(a)(iii). EPA is concerned that all existing uses should be protected, whether classified or not. A letter from the Attorney General has been submitted, clarifying the Commission's responsibility to classify all existing uses. However, EPA expressed a specific concern regarding what would happen if, during an antidegradation review, it was determined that an existing use has not been classified. It is the policy of the Commission and Division that, should such circumstances arise, prior to completing the antidegradation review for an applicable activity, an expeditious rulemaking hearing shall be held (on an emergency basis if necessary) to consider adoption of the additional classification(s).

Approved on this 5th day of May, 1992, at Denver, Colorado

WATER QUALITY CONTROL COMMISSION

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Paul D. Frohardt, Administrator

WATER QUALITY CONTROL DIVISION

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J. David Holm, Director